

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION**

UNITED STATES OF AMERICA,

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v.

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Case No. 1:13-cr-2 (WLS)

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KIMBERLY MICHELLE BANKS and
GLORIA JEAN GORDON,

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Defendants.

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ORDER

The Parties in the above-captioned case appeared for a jury trial on January 7, 2014. Prior to the presentation of evidence and outside the jury's presence, the Court entered oral rulings on two pending motions. This Order memorializes the Court's rulings.

First, the Court denied Defendant Gloria Gordon's motion for a pretrial *James* hearing. Given the breadth of the Government's case, a pretrial *James* hearing is not reasonably practicable. *See United States v. Walker*, 720 F.2d 1527, 1536–37 (11th Cir. 1983). In lieu of a pretrial *James* hearing, the Government shall provide a foundation during trial and notify the Defendants and the Court before introducing evidence under Rule 801(d)(2)(E).

Second, the Court granted, without objection, the Government's Motion in Limine to Pre-Admit Business Records Via Certification. Although the Defendants did not object to the introduction of certain business records under Rule 902(11), they reserved their right to raise other evidentiary and substantive objections during trial.

For the reasons stated in court and in this Order, the motion for a *James* hearing (Doc. 74) is **DENIED** and the Motion in Limine to Pre-Admit Business Records via Certification (Doc. 73) is **GRANTED** as set out herein.

SO ORDERED, this 8th day of January, 2014.

 /s/ W. Louis Sands
W. LOUIS SANDS, JUDGE
UNITED STATES DISTRICT COURT